



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 18-066

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

1. Statutory Authority

In the rule summary’s listing of statutory authority, the reference to s. 46.055, Stats., should be removed. The proposed rule interprets that section for administration by the department, but the section does not itself confer rulemaking authority. [s. 1.02 (2m), Manual.]

2. Form, Style and Placement in Administrative Code

a. The rule summary’s plain language analysis should include an explanation for why the provisions related to incapacitating devices are being repealed. The plain language analysis should also state that the proposed rule makes a change to the circumstances under which an escorted leave may occur.

b. In SECTION 8 of the proposed rule, the name of the publication “Wisconsin Administrative Register” should be capitalized. Also, the citation to s. 227.22 (2), Stats., should more precisely cite to the introduction (“(intro.)”) of that section. [s. 1.02 (4) (a) and (Example), Manual.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

The department could consider defining the term “discharge plan”, as it is used in s. DHS 95.10 (1) (c), for clarity.